

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Nobuya BANNO et al. : **Mail Stop PCT**

Serial No. 10/564,482 : Attorney Docket No. 2006-0022A

Filed January 13, 2006 :

PRODUCTION METHOD OF Ge-ADDED  
Nb<sub>3</sub>Al-BASED SUPERCONDUCTING WIRE  
[Corresponding to PCT/JP2004/010422  
Filed July 15, 2004]

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**LETTER CONCERNING AVAILABILITY OF PRIOR ART REFERENCE**

Commissioner for Patents

P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEE FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975.

Referring to item 6 of the Supplemental Information Disclosure Statement filed March 8, 2006, Applicants again note that the Banno et al. reference cited on the PTO-1449 form submitted March 8, 2006 was published between the filing dates of Applicants' Japanese priority application and International application. Applicants further note that the authors named in the reference include the present inventors in addition to other individuals. Accordingly, based on the present record, the Banno et al. reference would be available as prior art against the present invention unless Applicants are entitled to the benefit of the Japanese priority date.

Applicants are submitting concurrently herewith a Claim of Priority together with a certified copy of the Japanese priority application and a verified English translation thereof. It is

Applicants' position that they are entitled to the benefit of the Japanese priority date, thereby rendering the Banno et al. reference unavailable as prior art against the present invention.

Respectfully submitted,

Nobuya BANNO et al.

By:

  
Michael R. Davis  
Registration No. 25,134  
Attorney for Applicants

MRD/pth  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
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